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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/710,752 05/31/91 TAYLOR

J TAYJ10A

EXAMINER

LORIN, F

ART UNIT

PAPER NUMBER

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DIX HILLS, NY 11746-4879

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1301

DATE MAILED:

04/07/92

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-6 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-2 are rejected.
5. ☒ Claims 3-6 are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit 1301

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The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

5 *A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

10 *Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.*

15 Claims 1-2 are rejected under 35 U.S.C. § 103 as being
20 unpatentable over Bepristis et al and Micelli.

As to claim 1, Bepristis teaches an emergency tire inflation system comprising: a) a rim (2); and b) annular reservoirs containing pressurized air or any other suitable fluid, column 3, lines 17-26 capable of providing compressed air/fluid into the tire
25 upon a drop in tire pressure, column 3, lines 28-34.

Micelli teaches a self-lubricating pneumatic insert having a portion which is capable of supporting the tire during a run-flat operation. The insert is also capable of releasing a fluid when the tire walls contact the valve on the insert, see figures 5-6 and
30 column 3, lines 1-11.

Art Unit 1301

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bepristis to employ a supporting means taught by Micelli for containing the pressurized air/fluid reservoirs therein, because
5 both Bepristis and Micelli are directed to the problem of minimizing the impact of run-flat situations and because one would expect a smoother ride during run-flat operation with a suitable support inside the tire as taught by Micelli.

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10 Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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15 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Japanese Patent teaches a protector device installable inside a tire for run-flat protection. The German Patent teaches an inflation device located inside a tire for pressurizing the tire
20 when the tire has a slow leak. Edwards teaches a tire and wheel assembly including a lubricant containing device that is capable of releasing lubricant during a run-flat situation.

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The following is an Examiner's Statement of Reasons for Allowance:

None of the prior art of record teach or suggest a sealant
5 device for flat tires comprising a pressurized sealant and
pressurized air annular reservoir that actuates to release only a
portion of the sealant and air in the reservoir, and includes two
annular cavities that are positioned inside a larger load-
supporting annular cavity wherein the two inside cavities contain,
10 respectively, the compressed chemical and the compressed air
reservoirs.

Any comments considered necessary by applicant must be
submitted no later than the payment of the Issue Fee and, to avoid
processing delays, should preferably **accompany** the Issue Fee. Such
15 submissions should be clearly labeled "Comments on Statement of
Reasons for Allowance."

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Please note that as of October 1, 1991, the U.S. Patent Office
designates Group Art Units (GAUs) by four rather than the previous
20 three digits, thus previous GAU 131 is now designated as GAU 1301.

Any inquiry concerning this communication should be directed
to Francis Lorin at telephone number (703) 308-2061.

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Art Unit 1301

FJL

Francis J. Lorin
April 6, 1992

MB

MICHAEL V. DALL
SUPERVISORY PATENT EXAMINER
ART UNIT 131